IN THE UNITED STATES DISTRICT COURT

|    | EW YORK        |
|----|----------------|
| :  | MDL 1570 (RCC) |
| :X | FCASE          |

This document relates to:

Kathleen Ashton v. Al Qaeda Islamic Army, et al., 02-CV-6977 (RCC)
Federal Insurance Company v. Al Qaeda Islamic Army, et al., 03-CV-6978 (RCC)
Continental Casualty Co., et al. v. Al Qaeda Islamic Army, et al., 04-CV-05970 (RCC)
New York Marine and General Insurance Co. v. Al Qaida, et al., 04-CV-6105 (RCC)

# MOTION FOR LEAVE FOR JOHN L. CUDDIHY TO WITHDRAW AS COUNSEL FOR DEFENDANT ABDULRAHMAN BIN MAHFOUZ

Defendant Abdulrahman Bin Mahfouz, by and through undersigned counsel, hereby moves this Court, pursuant to Local Civil Rule 1.4, for an Order granting John L.

Cuddihy leave to withdraw as counsel for Mr. Bin Mahfouz in the above-captioned actions.

(Messrs. Gerald A. Feffer and Peter J. Kahn will remain counsel of record for Mr. Bin Mahfouz.)

This motion is supported by Mr. Cuddihy's annexed Affidavit; a proposed Order is also attached.

Dated: January 10, 2007

Respectfully submitted,

WILLIAMS & CONNOLLY LLP

Gerald A. Feffer (GF-2179)
Peter J. Kahn (PK-3611)
John L. Cuddihy (JC-4015)

725 Twelfth Street, N.W. Washington, D.C. 20005 (202) 434-5000

Attorneys for Defendant Abdulrahman Bin Mahfouz

IN THE UNITED STATES DISTRICT COURT

| FOR THE SOUTHERN   |                  | CT OF NEW YORK                |
|--|------------------|-------------------------------|
| <i>IN RE</i> TERRORIST ATTACKS ON<br>SEPTEMBER 11, 2001. | :<br>:<br>:<br>: | 03 MDL 1570 (RCC)<br>ECF CASE |
| This document relates to:                                |                  |                               |

Kathleen Ashton v. Al Qaeda Islamic Army, et al., 02-CV-6977 (RCC)
Federal Insurance Company v. Al Qaeda Islamic Army, et al., 03-CV-6978 (RCC)
Continental Casualty Co., et al. v. Al Qaeda Islamic Army, et al., 04-CV-05970 (RCC)
New York Marine and General Insurance Co. v. Al Qaida, et al., 04-CV-6105 (RCC)

### AFFIDAVIT OF JOHN L. CUDDIHY IN SUPPORT OF MOTION FOR LEAVE TO WITHDRAW AS COUNSEL FOR DEFENDANT ABDULRAHMAN BIN MAHFOUZ

I, John L. Cuddihy, being duly sworn, affirm and say:

- 1. I am an attorney admitted to practice in New York and in this Court, and I am an associate of the law firm Williams & Connolly LLP.
- 2. I have appeared as counsel for Defendant Abdulrahman Bin Mahfouz ("Mr. Bin Mahfouz") in the *Ashton*, *Federal Insurance*, *Continental Casualty*, and *New York Marine* actions captioned above ("the Actions").
- 3. Pursuant to Local Civil Rule 1.4, I respectfully seek leave of this Court to withdraw as counsel for Mr. Bin Mahfouz in the Actions. I am requesting to withdraw because I am leaving Williams & Connolly LLP effective Friday, January 12, 2007, to join another law firm.
- 4. The appearance of other counsel for Mr. Bin Mahfouz Messrs. Gerald
  A. Feffer and Peter J. Kahn of Williams & Connolly LLP will remain unchanged.
- 5. My withdrawal will not affect the posture of the Actions, or the calendar, or any other proceedings in this multidistrict litigation in any way.

### Case 1:03-md-01570-GBD-SN Document 1936 Filed 01/10/07 Page 3 of 5

6. I affirm under penalties of perjury that the contents of this Affidavit are true and correct to the best of my information, knowledge, and belief.

Dated: January 10, 2007

Washington, D.C.

Respectfully submitted,

John L. Cuddihy

1.10.07

SHARON L. BROWN
Notory Public, District of Columbia
My Commission Supires July 14, 2009

# IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

| X   |
|---|
| : 03 MDL 1570 (RCC)  IN RE TERRORIST ATTACKS ON   |
| This Order relates to:  |
| Kathleen Ashton v. Al Qaeda Islamic Army, et al., 02-CV-6977 (RCC)<br>Federal Insurance Company v. Al Qaeda Islamic Army, et al., 03-CV-6978 (RCC)<br>Continental Casualty Co., et al. v. Al Qaeda Islamic Army, et al., 04-CV-05970 (RCC)<br>New York Marine and General Insurance Co. v. Al Qaida, et al., 04-CV-6105 (RCC) |
| ORDER GRANTING MOTION FOR LEAVE FOR JOHN L. CUDDIHY TO WITHDRAW AS COUNSEL FOR DEFENDANT ABDULRAHMAN BIN MAHFOUZ  |
| This matter is before the Court upon the Motion of Defendant Abdulrahman Bir  |
| Mahfouz ("Mr. Bin Mahfouz"), pursuant to Local Civil Rule 1.4, for an Order granting John L   |
| Cuddihy leave to withdraw as counsel for Mr. Bin Mahfouz in the above-captioned actions.  |
| Upon consideration of the Motion, it is hereby  |
| ORDERED that the Motion be and hereby is GRANTED; and   |
| It is <b>FURTHER ORDERED</b> that the appearances of Messrs. Gerald A. Feffer   |
| and Peter J. Kahn of Williams & Connolly LLP as counsel for Mr. Bin Mahfouz will remain   |
| unchanged.  |
| <b>DONE AND ORDERED</b> on this day of, 2007.   |
| The Honorable Richard Conway Casey  |

United States District Judge

### **CERTIFICATE OF SERVICE**

I hereby certify that, on the 10th day of January, 2007, I caused true and correct copies of the foregoing "Motion for Leave for John L. Cuddihy to Withdraw as Counsel for Defendant Abdulrahman Bin Mahfouz" to be filed and served electronically via the Court's ECF system.

John L. Cuddihy